

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 05 0745 MMC
)	
Plaintiff,)	[PROPOSED] ORDER FINDING
)	EXCLUDABLE TIME
v.)	UNDER SPEEDY TRIAL ACT
)	18 U.S.C. § 3161(b); (h)(8)(A)&(B)(iv)
)	
)	
MICHAEL J. FOX,)	
)	
Defendant.)	
)	
)	

The parties appeared before the Court on November 21, 2005. The defendant was represented by Assistant Federal Public Defender Elizabeth Falk, and the United States was represented by Assistant United States Attorney Susan Badger. The Court arraigned Mr. Fox on the information filed on November 18, 2005 in the above-captioned case, which charges Mr. Fox with one count of mail fraud in violation of 18 U.S.C. § 1341.

The defendant requested that the matter be placed on United States District Judge Chesney's criminal calendar on December 14, 2005 at 2:30 p.m. and requested that the

1 time between November 21, 2005 and December 14, 2005 be excluded from the time
2 requirements of the Speedy Trial Act. Defense counsel advised the Court that she needs
3 additional time within which to provide information to the government that is relevant to
4 possible resolution of the case, and that she will be unavailable for a period of time
5 between November 21 and December 14 due to trial obligations. Counsel requested that
6 the time between November 21 and December 14 be excluded for effective preparation
7 and in order to provide continuity of counsel.

8 Upon the request of the defendant, to which the government had no objection, and
9 for good cause appearing, IT IS HEREBY ORDERED that the time between November
10 21, 2005 and December 14, 2005 is excluded from the time requirements of the Speedy
11 Trial Act in order to provide the defendant continuity of counsel and adequate time for
12 effective preparation, taking into account due diligence. 18 U.S.C. § 3161(h)(8)(A) &
13 (B)(iv).

14
15 IT IS SO ORDERED.

16
17 Dated: 11/22/05

